

April 10, 2006

Mr. Steven A. Toelle, Director  
Nuclear Regulatory Affairs  
USEC Inc.  
Two Democracy Center  
6903 Rockledge Drive  
Bethesda, MD 20817-1818

SUBJECT: NRC APPROVAL OF USEC INC.'S REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE FOR THE AMERICAN  
CENTRIFUGE PLANT (TAC NOS. L32306, L32307 and L32308)

Dear Mr. Toelle:

By letter dated March 17, 2006, containing an affidavit dated the same as the letter and executed by Steven A. Toelle, USEC Inc. (USEC) requested the U.S. Nuclear Regulatory Commission (NRC) to withhold from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390, information contained in the following document:

March 17, 2006 -

- AET 06-0037 - Submittal of Revisions to the Supporting Documents for the American Centrifuge Plant.

Enclosure 3 contains Appendix C of the License Application.

Enclosure 4 contains Appendix D of the Decommissioning Funding Plan.

The affidavit states that the submitted information should be considered exempt from mandatory public disclosure for the following reasons, among others:

1. The information sought to be withheld from public disclosure is owned and has been held in confidence by USEC.
2. The information is of a type customarily held in confidence by USEC and not customarily disclosed to the public.
3. The information is being transmitted to the NRC in confidence and, under the provisions of 10 CFR 2.390, is to be received in confidence by the NRC.
4. The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of USEC's knowledge and belief.
5. Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of USEC because it may enhance the ability of competitors to position and provide similar products.

The affidavit goes on to specify that Enclosure 3 contains deployment cost information and discussions of the initial phase of commercial plan operations captured in Appendix C of the License Application. In addition, Enclosure 4 contains decommissioning worker unit costs and total labor cost information captured in Appendix D of the Decommissioning Funding Plan.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the documents listed above marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended. Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified of the date of public disclosure, in advance which will be a reasonable time thereafter.

If you have any questions regarding this matter, I may be reached at 301-415-8113.

Sincerely,

\RA\

Yawar H. Faraz, Project Manager  
Gas Centrifuge Facility Licensing Section  
Special Projects Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket: 70-7004

## CC:

William Szymanski/DOE	Michael Marriotte/NIRS	Dan Minter/SODI
Carol O'Claire/Ohio EMA	James Curtiss/W&S	Randall DeVault/DOE
Lindsay Lovejoy/NIRS	Rod Krich/LES	Peter Miner/USEC Inc.
Rocky Brown/Mayor of Beaver	Jim Brushart/Pike Co. Comm.	Geoffrey Sea
David Bowe/SPFPA/USEC	Teddy West/Scioto Twp. Trust.	Robert Owen/Ohio DoH
Billy Spencer/Mayor of Piketon	Vina Colley/PRESS	Donald Silverman/Morgan Lewis
Harry Rioer/Pike Co. Comm	Larry Scaggs/Seal Twp.Trust.	Carrie Mytinger/Cong. Ney
Robert Huff/Portsmouth CoC	Ted Wheeler/Pike County Aud.	Marvin Jones/Chillicothe CoC
Kara Willis/Gov. Taft's Reg. 7	Ewan Todd/PRESS	Dwight Massie/Pike CoC
Joyce Weeth/Pike Co. Rec	Blaine Beekman/Pike CoC	MarJean Kennedy/Gov. Taft

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Yawar H. Faraz, Project Manager  
Gas Centrifuge Facility Licensing Section  
Special Projects Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

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cc: (Cover Memo Only)

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David Bove/SPFPA/USEC

Billy Spencer/Mayor of Piketon

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Peter Miner/USEC Inc.

Geoffrey Sea

Robert Owen/Ohio DoH

Donald Silverman/Morgan Lewis

Carrie Mytinger/Cong. Ney

Marvin Jones/Chillicothe CoC

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**ML060800268**

OFC	GCFLS	GCFLS	GCFLS
NAME	YFaraz	LWilliamson	BSmith
DATE	04/06/06	04/ 07/06	04/10/06

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